

AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

UNITED STATES DISTRICT COURT

for the
District of New Mexico


FILED
United States District Court
Albuquerque, New Mexico

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

A red Jeep bearing NM License Plate 663WTR
and VIN 1C4NJPBB4GD548807

Case No. 22-MR-19

Mitchell R. Elfers
Clerk of Court

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the _____ District of NEW MEXICO, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. § 2119

Carjacking

Offense Description

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Andrew Limon, FBI Task Force Officer
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone _____ (specify reliable electronic means).

Date: January 5, 2022

City and state: Albuquerque, NM


Judge's signature

Jerry H. Ritter, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Andrew Limon, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND PURPOSE OF THE AFFIDAVIT

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant authorizing the search of property – a red 2016 Jeep bearing New Mexico license plate 663WTR and Vehicle Identification Number (VIN) 1C4NJPBB4GD548807 – which is currently in law enforcement possession. More detailed descriptions of the vehicle are contained within Attachment A.
2. The vehicle listed above is referred to as the “RED JEEP” in this affidavit. The RED JEEP is currently secured at CT Towing located at 6301 Oakland NE. The RED JEEP was seized by law enforcement in connection with a robbery committed by ARON MARTINEZ-LEON in Albuquerque, New Mexico on January 1, 2022. Based on evidence obtained during this investigation, I believe the RED JEEP will contain the firearm MARTINEZ-LEON used to commit the robbery on January 1, 2022, as well as additional carjackings during December 2021.
3. This affidavit is submitted in support of a search warrant for evidence, fruits, and instrumentalities of violations of:
 - a. 18 U.S.C. § 2119 CarjackingThe specific evidence being sought has been detailed within Attachment B, which has been attached hereto and incorporated herein.
4. This affidavit does not set forth all my knowledge or summarize all of the investigative efforts in this matter, however the affidavit sets forth only the facts that support probable cause to search the RED JEEP, as well as relevant background information. Any observations

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

referenced herein that I did not personally witness were relayed to me in oral or written reports by members of the investigative team, who assisted during this investigation.

SUMMARY

5. Between December 24, 2021, and January 1, 2022, MARTINEZ-LEON committed an armed robbery and multiple thefts of vehicles, including carjackings, in Albuquerque, New Mexico. MARTINEZ-LEON was charged for the armed robbery that occurred on January 1, 2022 and is currently in custody at the Metropolitan Detention Center located in Albuquerque, New Mexico. Prior to his arrest, MARTINEZ-LEON was in the RED JEEP and he left behind a semi-automatic pistol he used to commit the robbery and carjackings outlined in this affidavit.

AFFIANT'S RELEVANT TRAINING AND EXPERIENCE

6. I have been a law enforcement officer since December 2015, and I am employed as a Deputy with the Bernalillo County Sheriff's Department. I am currently assigned to the FBI's Albuquerque Violent Crime Gang Task Force, where I investigate cases involving violent repeat offenders involved in federal drug and firearm related crimes, kidnappings, robberies, and fugitives. I also assist with investigations of drug trafficking organizations and gang/criminal enterprises. I have received on-the-job training and worked alongside experienced law enforcement officers, who have been recognized in courts across the United States as experts in drug trafficking and possession with intent to distribute controlled substances.
7. My investigative experience includes interviewing subjects, targets and conducting surveillance; executing search and arrest warrants and working on joint investigations and operations with law enforcement officers from other state and federal agencies, including the Drug Enforcement Administration, New Mexico Department of Corrections, New Mexico State Police, and Albuquerque Police Department.

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8. Through my training and experience, I am familiar with the methods and means utilized by individuals that commit robberies. I am aware individuals engaged in robberies typically use the same method of operation (MO) in all their robberies. Individuals that commit robberies using a firearm within a close proximity of time between one another typically use the same firearm. Based on my training and experience, individuals who are involved in auto thefts do not refill the vehicles with gas, and will abandon the vehicle once there is no more gas to function.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

9. Between December 24, 2021, and January 1, 2022, MARTINEZ-LEON advised he took two vehicles as they were being warmed up in driveways and committed two carjackings in the northwest part of Albuquerque, New Mexico. MARTINEZ-LEON additionally committed an armed robbery of an individual for approximately \$340 in U.S. currency.

10. MARTINEZ-LEON committed the following carjackings:

- a. Carjacking 1: Smiths, 8301 Golf Course Rd NW, Albuquerque, NM

Date: December, 31 2021, 6:45 p.m.

Loss: 2016 Buick Encore SUV (NM license plate 034SLG)

- b. Carjacking 2: 5601 Taylor Ranch Dr NW, Albuquerque, NM

Date: December, 31 2021, 7:32 p.m.

Loss: 2016 Jeep Patriot (NM license plate 663WTR)

11. On December 31, 2021 at approximately 6:45 p.m., Albuquerque Police Department Officers responded to 8301 Golf Course Rd NW, in reference to an armed carjacking. The victim, D.W., advised an unknown male subject approached her after she finished loading groceries, removed a silver-colored handgun, and proceeded to point it at her while demanding she give him her keys. D.W. stated she was in fear of being shot, and while she attempted to back

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away from the male, she fell to the ground. D.W. advised her vehicle was a 2016 gray colored Buick Encore bearing New Mexico license plate 034SLG. I am aware that Buick Encore's are not manufactured in the state of New Mexico.

12. On December 31, 2021 at approximately 7:32 p.m., Albuquerque Police Department Officers responded to 5601 Taylor Ranch Rd NW, in reference to an armed carjacking. It was determined that the 2016 gray colored Buick Encore (NM 034SLG) was left in the parking lot at 5601 Taylor Ranch Rd NW. The victim, X.H., advised she was in her vehicle when an unknown male approached her and demanded the keys to her vehicle. According to X.H., the male loaded the pistol and proceeded to point it at her head. X.H. gave the male her keys and proceeded to run from the scene. X.H. reported her vehicle to be a 2016 red Jeep (NM 663WTR). I am aware that Jeep's are not manufactured in the state of New Mexico.

13. On January 1, 2022, at approximately 4:50 p.m., Bernalillo County Sheriff's Department Deputies responded to 205 Rio Bravo Blvd SW, in reference to an armed robbery. The victim, S.A., advised while she was taking money out of the ATM, an unknown male subject approached her and demanded that she take all her money out. After an argument, the unknown male reached into her vehicle with a silver-colored handgun and took the money she did have in her hand. S.A. observed the male enter a red Jeep and travel eastbound from the parking lot. Deputies were able to locate the vehicle in a surrounding neighborhood and after a traffic stop attempt was initiated, the operator of the vehicle failed to stop and proceeded to evade deputies at a high rate of speed. A vehicle pursuit ensued and was eventually terminated. The operator of the vehicle proceeded to flee from the vehicle on foot and was eventually apprehended by a police service dog.

14. Deputies identified the male as Aron MARTINEZ-LEON. A silver-colored handgun was observed on the driver's floorboard of the vehicle.

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

15. Affiant conducted a Mirandized interview with MARTINEZ-LEON. MARTINEZ-LEON who advised that sometime after Christmas (December 25, 2021), he observed a Toyota Corolla warming up in a garage without the owner around it, so he proceeded to take the vehicle. After that vehicle stopped functioning, he found a GMC pickup warming up without the owner around it, so he proceeded to take it as well. According to MARTINEZ-LEON, the GMC stopped functioning near the Walmart at Paseo Del Norte and Golf Course Rd NW, so he ran to the Smiths across the street and saw a black female loading her groceries. According to MARTINEZ-LEON, he approached the female and pressed the firearm against his jacket material from inside of the pocket so that she would know he had a firearm. MARTINEZ-LEON stated the female fell to the ground and dropped her keys, so he picked them up and took the vehicle. MARTINEZ-LEON referred to the vehicle as a Pontiac. According to MARTINEZ-LEON, the "Pontiac" stopped functioning near the Dion's restaurant near Coors Blvd and Montano RD NW, so he left that vehicle and found a female sitting inside of the RED JEEP. MARTINEZ-LEON stated he used the firearm in the same manner as the carjacking at the Smiths and proceeded to take the RED JEEP from the female. MARTINEZ-LEON advised the firearm that he used during the armed robbery on January 1, 2022, was the same firearm used during the carjackings.

16. Based on the information described above, I believe there is probable cause to search the RED JEEP described in Attachment A, for evidence, fruits and instrumentalities of the violations listed in paragraph 3, as further detailed in Attachment B.

INTERSTATE NEXUS

17. Based on my training and experience, I know that neither Buick nor Jeep motor vehicles are manufactured within the state of New Mexico.

SUBJECT VEHICLE

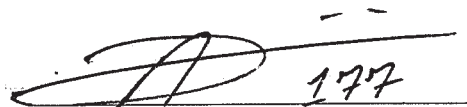
AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

18. The SUBJECT VEHICLE may be described as 2016 Jeep bearing New Mexico 663WTR, VIN Number 1C4NJPBB4GD548807. The vehicle is red in color.

CONCLUSION

19. Based on all the above information, I submit there is probable cause to search the RED JEEP described in Attachment A, for the items described in Attachment B, which are evidence, fruits, and instrumentalities of, or property designated for use, intended for use, or used in committing the crimes, that is: violations of 18 U.S.C. § 2119 Carjacking.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'ALimon', is written over a horizontal line. To the right of the signature, the number '177' is handwritten.

Andrew Limon
FBI Task Force Officer

SUBSCRIBED TO AND SWORN BEFORE ME ON January 5, 2022.

A handwritten signature in black ink is written over a horizontal line. Below the line, the text 'United States Magistrate Judge' and 'District of New Mexico' is printed.

United States Magistrate Judge
District of New Mexico

ATTACHMENT A

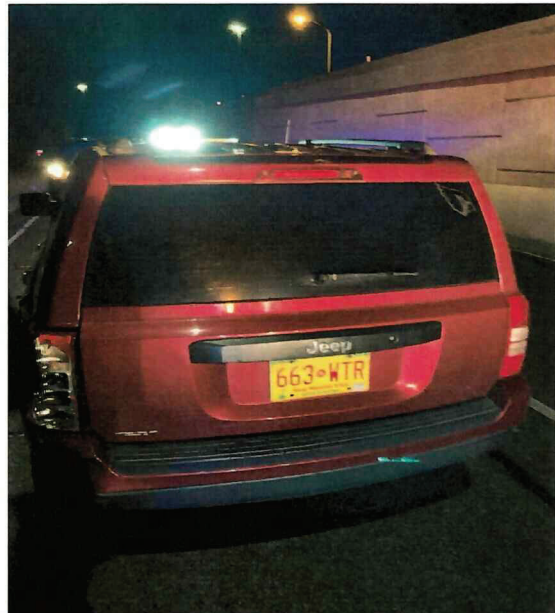
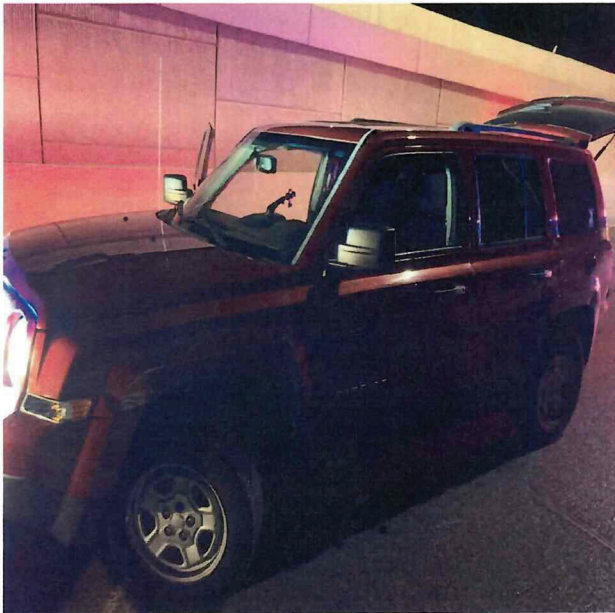
Property to be searched

1. **Subject Vehicle** is located at **CT Towing** located at **6301 Oakland Ave NE, Albuquerque, NM, 87113**, which is further described as a 2016 red Jeep bearing New Mexico License Plate 663WTR and Vehicle Identification Number (VIN) 1C4NJPBB4GD548807.

There is a silver bird decal affixed to the upper right corner of the rear windshield of the vehicle.

The vehicle's VIN (1C4NJPBB4GD548807) can be read through the rear right corner of the windshield of the vehicle.

Photograph of the vehicle is attached hereto and incorporated herein:



ATTACHMENT B

Property to be seized

All records, information, and evidence relating to violations of 18 U.S.C. § 2119 Carjacking involving MARTINEZ-LEON, including:

1. Any and all firearms, ammunition, or containers designed to store firearms or ammunition.